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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,472	04/15/2005	Rudolph Nussli	5640	7003

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SHOEMAKER AND MATTARE, LTD
10 POST OFFICE ROAD - SUITE 110
SILVER SPRING, MD 20910

EXAMINER

CHAN, SING P

ART UNIT PAPER NUMBER

1734

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/531,472

Applicant(s)

NUSSLI, RUDOLPH

Examiner

Sing P. Chan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/15/05</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Objections

1. Claims 1-10 are objected to because of the following informalities: The preamble of claim 1 recited "an installation" but the preamble of the dependent claims recited "the apparatus," which is unclear if the claims are an installation or an apparatus claims. The examiner suggests either changing "an installation" to "an apparatus" or vice versa. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Pankake (U.S. 5,743,964).

Pankake discloses an apparatus for coating strip. The apparatus includes a guide or backup roll (28), i.e. deflection and/or pressure roll, and coating applicator roll (30) (Col 7, lines 1-8), the coating applicator is mounted on a pair of mounting brackets

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and the mounting brackets are mounted on slidably mounted support sleds (42a,b, c) (Col 8, lines 13-37), which form a pedestal (100), which allow for replacement with different applicators (Col 9, lines 52-58), which allows the applicator roll (30) to slide into and out of position for coating the strip (Col 10, lines 1-31) with the deflection and/or pressure roll remain in position.

4. Claim 11 is rejected under 35 U.S.C. 102(e) as being anticipated by Maercklein (U.S. 6,565,697).

Maercklein discloses an apparatus for forming an adhesive article. The apparatus includes providing coating stations (34 and 36) to apply a liquid adhesive and a non-adhesive material layer onto a carrier web (Col 7, lines 16-49), with the coating station including a coating applicator and a pressure roll (Figure 7) and supplying a second material, a lamination liner is feed and jointed to the coated carrier web, and winding the laminated article (Col 8, lines 10-13).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pankake (U.S. 5,743,964) as applied to claim 1 above, further in view of Husemann et al (U.S. 6,703,441).

Pankake as disclosed above is silent as to the coating applicator includes a slot applicator or a fishtail die. However, providing a fishtail die to coating web is well known and conventional as shown for example by Husemann et al. Husemann et al discloses an apparatus for applying a liquid adhesive to a backing material. The apparatus includes extrusion dies, which includes T dies, fishtail dies, and coathanger dies (Col 12, lines 40-47) and a cooled roll (Col 12, line 62 to Col 13, line 11) which act as a guide and pressure roll for the backing material as well as cool the coating during application.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide extrusion dies such as fishtail dies as the coating applicator as disclosed by Husemann et al in the apparatus of Pankake to allow the orientation of the adhesive coating, which introduced by the extrusion dies at higher speed and higher shear rate. (See Husemann et al, Col 13, lines 2-19)

7. Claim 5 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Pankake (U.S. 5,743,964) as applied to claim 4 above, further in view of Lane, III et al (U.S. 5,860,360).

Pankake as disclosed above recites the application roll includes a rigid inner core manufactured of steel and covered with a deformable sleeve manufactured from a material such as polyurethane, but is silent as to the sleeve includes profiled surface with depressions for conveying the fluid. However, providing a sleeve for a roll formed of polyurethane is well known and conventional as shown for example by Lane, III et al. Lane, III et al discloses a sleeve as being formed with material such as rubber, polyvinyl

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chloride and polyurethane (Col 4, lines 25-37) and the surface of the sleeve may be mechanically or chemically etched or laser engraved, which provide profiled surface with depression, to provide a suitable surface for transferring ink images onto a substrate or texturing, embossing, or coating (Col 6, lines 12-19)

It would have been obvious to one of ordinary skill in the art at the time invention was made to provide a sleeve formed of polyurethane and either etched or engraved to provide profiled surface with depression for transferring coating as disclosed by Lane, III et al in the apparatus of Pankake to provide a replaceable sleeve, which is readily mountable on a cylinder or other carrier and may be fabricated quickly and easily and used in a wide variety of applications. (See Lane, III et al, Col 1, lines 55-60)

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pankake (U.S. 5,743,964) as applied to claim 1 above, further in view of Abed et al (U.S. 6,004,680)

Pankake as disclosed above is silent as to the applicators includes a spraying apparatus. However, providing a spraying apparatus for applying coating is well known and conventional as shown for example by Abed et al. Abed et al discloses an apparatus for applying a primer coating to a substrate. The apparatus for applying the primer includes roll coating, spray coating and dip coating, which are all equivalents.

It would have been obvious to one of ordinary skill in the art at time the invention was made to provide any coating apparatus such as roll coating, spray coating, and dip coating as disclosed by Abed et al in the apparatus of Pankake to provide any coating apparatus, since they are all recognized equivalents.

9. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable under Pankake (U.S. 5,743,964) as applied to claim 1 above, further in view of Maercklein (U.S. 6,565,697)

Pankake as disclosed above is silent as to providing an arrangement for supplying and laminating a substrate to the strip material and a second coating application device downstream of the first application device. However, providing a second coating applicator or station and supplying a laminating substrate downstream of the first coating applicator is well known and conventional as shown for example by Maercklein. Maercklein discloses an apparatus for forming an adhesive article. The apparatus includes providing coating stations (34 and 36) to apply a liquid adhesive and a non-adhesive material layer onto a carrier web (Col 7, lines 16-49), with the coating station includes a coating applicator and a pressure roll (Figure 7) and supplying a second material, a lamination liner is feed and jointed to the coated carrier web, and winding the laminated article (Col 8, lines 10-13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an addition coating station and feeding a lamination liner as disclosed by Maercklein in the apparatus of Pankake to provide a means to produce an adhesive article economically. (See Maercklein, Col 4, lines 11-13)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sing P. Chan whose telephone number is 571-272-

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1225. The examiner can normally be reached on Monday-Thursday 7:30AM-11:00AM and 12:00PM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher A. Fiorilla can be reached on 571-272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chan Sing P

SPC

CA Fiorilla

CHRIS FIORILLA
SUPERVISORY PATENT EXAMINER

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